

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed

Pursuant to the authority of Iowa Code section 234.6, the Department of Human Services amends Chapter 170, “Child Care Services,” Iowa Administrative Code.

These amendments make changes to the rules for child care assistance (CCA) as follows:

- Add AmeriCorps payments, cash payments, casino profits, railroad retirement, permanent disability insurance and strike pay to the types of income considered.
- Clarify how income is projected.
- Exclude from countable income emergency and major disaster assistance.
- Clarify that, for two-parent homes, assistance will be approved only for the parents’ coinciding hours of participation in any approved activity (employment, training, or job search).
- Clarify that assistance will be paid for actual travel time between the location of the child care and the training facility or place of employment.
- Prohibit payment of child care for education in a field in which the parent will not be able to be employed because of known criminal convictions or founded child or dependent adult abuse.
- Add a definition for “on-line or distance learning” and clarify that on-line or distance learning is not approvable when it is completed in the parent’s home and there are no specified times for attendance.
- Clarify that in order to qualify for assistance based on medical incapacity, the parent must already have been determined eligible for assistance based on either the employment or training need for service.
- Clarify that assistance during a job search is limited to 30 consecutive days.
- Clarify that FIP families who need child care for employment do not need to meet the 28-hour weekly employment requirement.
- Clarify that only general (nonfinancial) eligibility requirements are reviewed for PROMISE JOBS families and families receiving assistance for protective needs.
- Clarify that a review form is not required for PROMISE JOBS participants, protective cases and families receiving assistance during a 30-day job search.
- Clarify that the Department can pay for no more than the number of units authorized on the Department’s notice of decision regarding the family’s eligibility.
- Clarify that the Department may deny or cancel a provider agreement when a provider does not meet the criteria to be an eligible provider under subrule 170.4(3).
- Remove obsolete forms, references, and requirements.

These changes are intended to ensure that the rules comply with federal Child Care Development Block Grant regulations, are congruent with rules for related programs such as PROMISE JOBS and the Family Investment Program, and reflect current procedures.

Notice of Intended Action on these amendments was published in the Iowa Administrative Bulletin on May 18, 2011, as **ARC 9518B**. The Department received no comments on the Notice of Intended Action. These amendments are identical to those published under Notice of Intended Action.

The Council on Human Services adopted these amendments on July 13, 2011.

These amendments do not provide for waivers in specified situations because, to the extent that the amendments change current practice, the changes are beneficial to applicants and recipients. Requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 237A.13.

These amendments shall become effective on October 1, 2011.

EDITOR'S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [170.1 to 170.4, 170.5(1), 170.9(6)] is being omitted. These amendments are identical to those published under Notice as **ARC 9518B**, IAB 5/18/11.

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[For replacement pages for IAC, see IAC Supplement 8/10/11.]